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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,053	03/07/2006	Wilhelm Wimmreuter	2003P11079WOUS	1703
29177 7590 02/06/2008 BELL, BOYD & LLOYD, LLP P.O. BOX 1135 CHICAGO, IL 60690			EXAMINER TRAN, QUOC DUC	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/571,053

**Applicant(s)**

WIMMREUTER, WILHELM

**Examiner**

Quoc D. Tran

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 14-32 are rejected under 35 U.S.C. 102(a) as being anticipated by Schuster et al (6,567,399).

Consider claims 14 and 26, Schuster et al teach a subscriber-line circuit for a communication system (col. 4 lines 64-65), comprising: a subscriber-side interface that connects to a subscriber terminal (see Fig. 1, terminals 12-18); a network-side interface that connects to a communication system having a packet network (col. 5 lines 1-8; col. 8 lines 8-16); a plurality of protocol stacks for communicating with a plurality of network elements within the communication system (col. 5 lines 17-35); and a converter that converts information received by the network-side interface from a network-side protocol to a subscriber-side protocol and converts information received by the subscriber-side interface from the subscriber-side protocol to the network-side protocol (col. 5 lines 9-16).

Consider claims 15-17, Schuster et al inherently teach the claimed features since all circuits required to be either manually or dynamically connected to the network in order communication between networks.

Consider claim 18, Schuster et al teach wherein the subscriber terminal is a Time Division Multiplex (TDM) terminal or wherein the subscriber terminal is a Digital Subscriber Line (DSL) terminal (col. 3 lines 43-49; col. 4 lines 66-67).

Consider claim 19, Schuster et al teach wherein the circuit provides for terminating modem connections (Fig. 1, modem 19).

Consider claim 20, Schuster et al teach wherein the subscriber-side communication provides a voice coding transmission of A-law or  $\mu$ -law (col. 7 lines 56-59).

Consider claims 21-24, Schuster et al teach wherein the subscriber-side interface transmits and receives tones and/or announcements (see background, typical SLIC functionality).

Consider claim 25, Schuster et al teach wherein the network-side interface is an Ethernet interface (see Fig. 2, NIC 170).

Consider claim 27, Schuster et al teach wherein the packet-based network is coupled to a switching center of a circuit-switched telephone network via at least one of the network elements (see Fig. 1 elements (10,22,16)).

Consider claims 28 and 30-31, Schuster et al teach wherein the packet based-network is an access network (col. 4 line 67 – col. 5 line 1).

Consider claims 29, Schuster et al teach wherein a network element is selected from the group consisting of: gatekeeper, proxy server for Voice-over-Internet Protocol (VoIP), access controllers, routers for accessing the packet-based communication network, and authentication devices (see Fig. 1).

Consider claim 32, Schuster et al teach wherein the packet based-network is an internet (col. 5 lines 1-7).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
4. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**QUOC TRAN**  
**PRIMARY EXAMINER**

AU 2614  
February 1, 2008